

CITY of ALBUQUERQUE

SEVENTEENTH COUNCIL

COUNCIL BILL NO. _____ ENACTMENT NO. _____

SPONSORED BY:

1 RESOLUTION

2 ADOPTING THE VOLCANO HEIGHTS SECTOR DEVELOPMENT PLAN AS A
3 RANK 3 SECTOR DEVELOPMENT PLAN; AMENDING THE ZONE MAP AS
4 SPECIFIED IN THE VOLCANO HEIGHTS SECTOR DEVELOPMENT PLAN;
5 APPROVING CHANGES TO IDENTIFIED PLANS; AND PROVIDING GUIDANCE,
6 A WORK PROGRAM, AND POTENTIAL FUNDING SOURCES TO CARRY OUT
7 THESE AND OTHER ACTIONS.

8 WHEREAS, the Volcanic Escarpment of the Northwest Mesa has long been
9 considered a unique landscape that requires special protection; and

10 WHEREAS, the City Council adopted Bill No. F/S R-04-145 on October 4,
11 2004 that stated that “the City should amend the Northwest Escarpment Plan
12 or commission a new sector development and/or redevelopment plan for the
13 area that addresses issues that include, but are not limited to, transportation,
14 drainage, water and wastewater, land uses, view corridors, building height,
15 massing and orientation, walls, parks, trails and open space, phasing and
16 timing of growth”; and

17 WHEREAS, in the same legislation, the City Council indicated “a planning
18 study for use as the basis for an amendment to the existing plan or a sector
19 development and/or redevelopment plan can be completed in approximately
20 six months”; and

21 WHEREAS, a consulting team consisting was selected to carry out the
22 planning study; and

23 WHEREAS, a significant effort has been made to meet with stakeholders in
24 the Planning Area on the Northwest Mesa, identify options for future
25 development in the Area, conduct a community Design Workshop, summarize
26 and refine the input received at the Workshop, write the *Volcano Heights*

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1 *Planning Study Report* describing a Concept Plan for the future of the area,
2 and place the *Report* on the City Council's web site to obtain reactions from
3 the public; and

4 WHEREAS, the *Volcano Heights Planning Study Report* found that
5 "Subdivisions are being approved piecemeal without the guidance of an
6 overall plan that could improve sustainability", implying that the adopted
7 policies have been generally ineffective in guiding growth there; and

8 WHEREAS, the City Council adopted Bill No. R-05-263 (Enactment R-2005-
9 052) on April 4, 2005 that received the *Volcano Heights Planning Study Report*;
10 and

11 WHEREAS, key findings of the *Volcano Heights Planning Study Report*
12 included the following:

13 (1) "Build-out exclusively with single-family residential subdivisions
14 [in Volcano Heights] will exacerbate jobs/housing imbalances on the west
15 side, adding to traffic demands and increasing the burden on west side and
16 east-west transportation systems. Without adequate provision of
17 employment, greater trip internalization, and more emphasis on transit-
18 supportive nodes on the west side, traffic congestion and demand for
19 expanded river crossings will only increase,

20 (2) The Albuquerque Metropolitan Planning Area's Long Range High
21 Capacity Transit System map does not yet recognize the need to extend high-
22 capacity transit facilities into the [Volcano Heights] Plan Area or other new
23 growth areas. Transit-supportive densities and design in the Plan Area would
24 justify such consideration,

25 (3) The open space that exists within and adjacent to the [Volcano
26 Heights] Plan Area is not consolidated into an overall connected and
27 consolidated network. Drainage channels are not being used to their potential
28 as walking and biking trails that could link the natural open areas. And
29 subdivisions in some cases are not following the City's requirement per EC-35
30 for dedicating 30% permanent common open space,

31 (4) The Monument has miles of edge and adjacent private lands are
32 in a natural state. Currently, people access the open space anywhere along
33 the edge and can take in exceptional views of the volcanoes, the Rio Grande

1 valley, and the Sandia mountains. New development could block this physical
2 access and the views, greatly reducing the value of the open space amenity to
3 the public at-large”; and

4 WHEREAS, Bill No. R-05-263 stated: “The City finds that the Volcano
5 Heights area, due to its location, size, geology, and cultural history, currently
6 is poised in a delicate balance between either making a impressive
7 contribution to Albuquerque’s quality of life or adding problems of urban
8 sprawl, monotonous subdivision development, and west side traffic
9 congestion. The threat to the community’s quality is due to shortcomings that
10 affect Albuquerque in a more general way. These include the absence of
11 effective plans and policies to guide growth, lack of community building
12 development regulations, constraints on achieving mixed use development
13 and jobs/housing balance, fragmentation of governmental land use controls
14 and utility provision, piece-meal approval of development, and weakly
15 integrated local government and school district planning”; and

16 WHEREAS, Bill No. R-05-263 directed the City to continue planning efforts,
17 established a work program, and appropriated funds for these efforts, which
18 legislation stated that, beginning with findings of the *Volcano Heights*
19 *Planning Study Report*, Council Services should direct an effort to “draft
20 amendments to the West Side Strategic Plan (a Rank 2 Area Plan)” and “[d]raft
21 amendments and coordinate review and adoption of the amendments to the
22 Zoning Code, Subdivision Regulations, Development Process Manual, and
23 others as needed that provide for new mixed use land use zones, design
24 standards, and development standards such as for roadways and storm water
25 facilities, and so on”, and “[c]reate growth management regulatory tools that
26 are consistent with the Volcano Heights Guidance Policy and the West Side
27 Strategic Plan amendments”; and

28 WHEREAS, contracts were executed near the beginning of June 2005 with
29 the Plan Team to carry out these efforts; and

30 WHEREAS, a number of meetings were held subsequently with
31 governmental departments and divisions including City Transit, Municipal
32 Development, Parks and Recreation, Open Space, Planning, Hydrology; City of
33 Rio Rancho transportation; Mid Region Council of Governments, Albuquerque

1 Metropolitan Area Flood Control Authority, Albuquerque Bernalillo County
2 Water Utility Authority; Albuquerque Public Schools, the State Land Office, the
3 State Department of Transportation; and others; and

4 WHEREAS, based on these meetings a contract was executed with a
5 national transportation engineering firm of to model the Volcano Heights
6 transportation network and, if appropriate, help design an Urban Boulevard
7 along Unser and Paseo del Norte at the Volcano Heights Town Center; and

8 WHEREAS, a number of meetings where held with property owners in the
9 Volcano Heights area, other stakeholders such as neighborhood associations
10 and coalitions, and pedestrian, bicycle, and transit advisory groups; and

11 WHEREAS, the planning efforts led to the *Volcano Heights Sector*
12 *Development Plan*, which draft plan was made available for review and placed
13 on the City Council's web site in mid-May 2006, and nearly 1,500 public
14 notices were mailed to registered property owners in Volcano Heights; and

15 WHEREAS, by producing this sector development plan in less than one
16 year, the Plan Team has condensed considerably the time needed for planning
17 efforts and cut expected costs substantially; and

18 WHEREAS, under the Trend forecast of growth in the Volcano Heights
19 Planning Area and in adjoining areas on the Northwest Mesa (e.g. Ventana
20 Ranch, Quail Ranch), there may be 105,000 additional residents there; and

21 WHEREAS, there are a large number of already adopted City policies that
22 are intended to direct development in the Volcano Heights Area in the
23 Comprehensive Plan, Planned Growth Strategy (PGS), West Side Strategic
24 Plan, the Northwest Mesa Escarpment Plan, and EC-35; and

25 WHEREAS, some of these key City policies include building "community"
26 where citizens can live, work, shop, play, and learn together; allowing a full
27 range of urban land uses; organizing the land uses within mixed-use and
28 higher density (height, mass, and volume) Activity Centers, Community
29 Centers and Neighborhood Centers; Centers are to include shopping, schools,
30 employment, entertainment, civic uses, parks / plazas; providing for a wide
31 variety of housing choice including multi-unit housing and affordability,
32 clustering housing to provide more open space; providing significant public
33 open space; implementing a system of neighborhood parks; providing

1 opportunities for large-scale employment, concentrated in Activity Centers, so
2 that cross river trips are minimized; establishing development design
3 guidelines including muted colors and low reflectivity; balancing land use and
4 transportation systems so that transit is supported, especially in Centers and
5 Corridors; increasing attractive transportation mode choice including walking,
6 biking, transit, HOV; preserving the basalt flows and escarpment; preserving
7 and protecting the Petroglyph National Monument; considering as an entire
8 unit the escarpment, volcanoes, the mesa top, and the arroyos; prohibiting
9 continuous perimeter walls; connecting open space features; creating a multi-
10 purpose network of open space area and trails along arroyos; treating arroyos
11 in a naturalistic way; protecting and enhancing unique vistas; utilizing native
12 vegetation; creating planning links associating development with
13 transportation and new school facilities; and

14 WHEREAS, the proposed *Volcano Heights Sector Development Plan* is
15 consistent with the policies contained in the Comprehensive Plan, Planned
16 Growth Strategy (PGS), West Side Strategic Plan, and the Northwest Mesa
17 Escarpment Plan; and

18 WHEREAS, the existing zoning in the Volcano Heights area (almost entirely
19 R1, RD, RO20, and A1) will result in development that will fail to meet the
20 policies contained in Comprehensive Plan, Planned Growth Strategy (PGS),
21 West Side Strategic Plan, and the Northwest Mesa Escarpment Plan.

22 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
23 ALBUQUERQUE THAT:

24 Section 1. The City Council and the Environmental Planning Commission
25 met in joint sessions on June 5 and June 15, 2006 to to review and act upon
26 the *Volcano Heights Sector Development Plan*. At these meetings, both
27 bodies obtained public comments and protests and determined appropriate
28 findings and conditions pursuant to the adoption of the *Sector Development*
29 *Plan* and related zone changes.

30 Section 2. The Environmental Planning Commission adopted the following
31 findings and conditions at these meetings [SUBJECT TO REVISION]:

32 A. EPC Findings.

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1 1. The Volcano Heights Sector Development plan is
2 consistent and compatible with the relevant policies contained in the
3 Albuquerque / Bernalillo County Comprehensive Plan.

4 2. The Volcano Heights Sector Development plan is
5 consistent and compatible with relevant policies contained in the Planned
6 Growth Strategy.

7 3. The Volcano Heights Sector Development plan is
8 consistent and compatible with relevant policies contained in the West Side
9 Strategic Plan.

10 4. The Environmental Planning Commission especially notes
11 the consistence of the Volcano Heights Sector Development Plan with the
12 Comprehensive Plan requirement that areas such as Volcano Cliffs “should be
13 reassembled or sector planned before . . . service extension is assured” and
14 West Side Strategic Plan Policy 7.24 that provision of urban infrastructure to
15 Volcano Cliffs prior to 2015 to 2035 should be conditional on cluster housing,
16 xeriscape landscaping, water conservation regulations, and possibly
17 necessary assembly of multiple owners’ lots.

18 5. The Volcano Heights Sector Development plan is
19 consistent and compatible with relevant policies contained in the Northwest
20 Mesa Escarpment Plan.

21 6. The zone map changes proposed in the Volcano Heights
22 Sector Development Plan comply with the requirements of Resolution 270-
23 1980 based upon “changed conditions” and “community benefit”.

24 7. The Environmental Planning Commission strongly
25 supports the Urban Boulevard design for portions of Paseo del Norte and
26 Unser as they adjoin the Volcano Heights Town Center.

27 8. Several governmental plans, policies, and program will
28 need to be amended, supplemented, or otherwise modified in order to
29 implement the Volcano Heights Sector Development Plan. These are
30 addressed in Conditions below. It is especially important that the City of
31 Albuquerque act in a rapid fashion to carry out recommendations to acquire
32 lands for parks, open space, storm drainage, and roadways.

1 9. The Environmental Planning Commission strongly
2 supports dedicated transit / HOV lanes for the Paseo del Norte and Unser
3 systems. The EPC recognizes that dedicated transit and HOV lanes are major
4 west side arterials are necessary to obtain consumer acceptance of a
5 commuter transit / high capacity transportation system and avoid grid lock
6 especially at the Rio Grande crossings.

7 10. The Environmental Planning Commission supports the
8 outlined process to link residential development with the availability of new
9 school facilities. This system addresses a long-standing problem of urban
10 growth on the west side. The EPC encourages the APS to adopt this
11 approach.

12 11. The City should review Comprehensive Plan Policy 5.i to
13 provide for flexibility and choice in the built environment that may involve
14 varying degrees of consumer tolerance for noise, lighting, traffic, and so on. It
15 should be recognized that some individuals are willing to accept higher levels
16 of these environmental qualities in order to live in more dense and active
17 mixed-use places.

18 12. The City is strongly encouraged to develop financing
19 methods so that funds can be expended for land acquisition needed for open
20 space, parks, transportation, storm drainage, and so on as called for in the
21 Volcano Heights Sector Development Plan in advance of the collection of
22 impact fees for these purposes.

23 13. The City should considered amending the West Side
24 Strategic Plan policies to support or allow: (a) Main Street designs; (b) more
25 flexibility to locate Neighborhood Centers on Principal Arterials under
26 pedestrian oriented design standards; (c) recognizing that a “grid”
27 transportation may be preferred for system design; (d) locating civic, cultural,
28 and community building within Community Centers, Neighborhood Centers,
29 and Main Streets and removing the recommendation that they be located in
30 Employment Centers; (e) providing greater flexibility for locating schools in
31 parks adjacent to open space corridors.

32 14. The traditional path from the Piedras Marcadas Arroyo
33 through the volcanic cap presumably to the North Geologic Window has not

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1 been fully incorporated into the land use plan in the Volcano Heights Sector
2 Development Plan.

3 15. While the Volcano Heights Sector Development Plan is
4 consistent with the policies in the North West Mesa Escarpment Plan, there
5 are a number of development regulation in the Escarpment Plan related
6 especially to the Conservation Area and the Impact Act that should be
7 reviewed for inclusion or otherwise integration into the Sector Development
8 Plan.

9 16. The maps and text pertaining to Open Space, Scenic
10 Corridors and Multi-Use Trail Network; Transit Network; Bicycle Trail Network;
11 Land Use and Natural Cultural Features should be reviewed and revised in
12 accordance with comments from the Open Space Division, the Open Space
13 Advisory Committee, the Transit Department, and the National Park Service
14 consistent with the responses from Plan Team.

15 17. The text pertaining to the requirement for undergrounding
16 of electric and gas utilities and placement of utilities in setbacks should be
17 revised to include PNM conditions consistent with the Plan Team's response.

18 **B. EPC Conditions.**

19 1. The City of Albuquerque commits to take action to seek to
20 amend, supplement, or otherwise modify the following plans and programs in
21 order to implement the Volcano Heights Sector Development Plan: Long
22 Range Roadway System, Long Range High Capacity Transit System, Trails
23 and Bikeways Plan, PGS Land Use Assumptions, Impact Fee Capital
24 Improvement Program, establish consistent Adequate Public Facilities
25 regulations as contained in Section VII Implementation, and others. This
26 includes changing the classification of Paseo del Norte and Unser as
27 identified in the Volcano Heights Sector Development Plan from a Transit
28 Express Corridor (or other designation) to a Major Transit Corridor. A Major
29 Transit Corridor should be extended along Paseo del Norte to Rainbow, rather
30 than to Double Eagle Airport, in the Long Range High Capacity Transit System
31 Plan. The character of development at Double Eagle should be considered
32 prior to designating the transit service from Rainbow and Paseo del Norte to
33 the Double Eagle Airport

- 1 2. The City of Albuquerque shall work with the Albuquerque
2 Public Schools to amend the Albuquerque Public Schools Facilities Master
3 Plan and adopt or amend other policies to incorporate the recommendations
4 in Sector Plan Section VII Implementation, related to Adequate Public Facilities
5 regulations and schools.
- 6 3. Amend Bill No. F/S R-455 that contains the Unser Boulevard
7 Design Standards to be consistent with the Plan's recommendations.
- 8 4. Acquire, on a fast track basis, lands identified in the plan for
9 public uses such for street rights-of-way, parks, open space, hydrology, and
10 other uses. This includes acquiring the northern 1/3rd of the North Geologic
11 Window, the western two-thirds of the State of New Mexico land, and the
12 Paleo-Indian sites on the eastern one-third of this property.
- 13 5. Initiate actions to identify the Volcano Heights Town Center
14 as a Major Activity Center as provided in the Comprehensive Plan.
- 15 6. Conduct a Preliminary Air Quality Impact Analysis as
16 identified by the Environmental Health Department.
- 17 7. Amend the Volcano Heights Sector Development Plan to
18 extend the provisions for neighborhood permit parking to areas adjacent to
19 access points to the Petroglyph National Monument.
- 20 8. Review and amend, if necessary, the Volcano Heights
21 Sector Development Plan to insure consistency between the Bicycle Trails
22 Network and the applicable street cross sections.
- 23 9. The City shall provide mechanisms for assisting in the
24 assembly of multiple owners' lots or causing this to occur as a last resort
25 when necessary to achieve the objectives of the Volcano Heights Sector
26 Development Plan. The City should initially rely on private sector efforts to
27 achieve the needed assembly of lots.
- 28 10. The North West Mesa Escarpment Plan regulations shall be
29 reviewed, possibly updated, for inclusion and consistency with the Volcano
30 Heights Section Development Plan regulations
- 31 11. The Volcano Heights Plan team should review the land use
32 plan and consider creating a trail along the path from the Piedras Marcadas
33 Arroyo through the Town Center to the North Geologic Window.

12. The maps and text pertaining to Open Space, Scenic Corridors and Multi-Use Trail Network; Transit Network; Bicycle Trail Network; Land Use and Natural Cultural Features shall be reviewed and revised in accordance with comments from the Open Space Division, the Open Space Advisory Committee, the Transit Department, and the National Park Service consistent with the responses from Plan Team.

13. The text pertaining to the requirement for undergrounding of electric and gas utilities and placement of utilities in setbacks shall be revised to include PNM conditions consistent the Plan Team's response.

Section 3.

A. The Council accepts the findings and conditions of the Environmental Planning Commission with the following modifications.

1. [INSERT COUNCIL CHANGES IF ANY]

B. The Council finds that the attached *Volcano Heights Sector Development* [NEW VERSION TO BE ADDED] has incorporated these conditions in an acceptable manner.

Section 4. The *Volcano Heights Sector Development Plan*, Attachment A hereto and made a part hereof, is adopted as a Rank Three Plan, as a regulatory guide to the implementation of the Albuquerque / Bernalillo County Comprehensive Plan, the West Side Strategic Plan, and the Northwest Mesa Escarpment Plan. The policy requirements of Executive Communication 35 with regard to development in the Volcano Heights area are superceded by the provisions of the *Volcano Heights Sector Development Plan*.

Section 5. All development and redevelopment activities within the area shall be guided and regulated by the provisions of the *Volcano Heights Sector Development Plan*.

Section 6. The Zone Map, adopted by Article 14-16-4-9 ROA 1994, is hereby amended to reflect the rezoning in the map shown in Attachment B hereto. [CURRENT ATTACHMENT AS SHOWN ON P 61 OF THE SECTOR PLAN TO BE UPDATED PRIOR TO ADOPTION]

Section 7. Changes to Associated Plan and Programs; Land Acquisitions Efforts.

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1 A. Council supports amendments and modifications to the following
2 plans consistent with the adopted *Volcano Heights Sector Development Plan*:
3 Long Range Roadway System, Long Range High Capacity Transit System,
4 Trails and Bikeways Plan, and No. F/S R-455 containing the Unser Boulevard
5 Design Standards. Some of these changes will require changes to regional
6 plans. In those cases, appropriate City staff are charged with incorporating
7 these changes into the plans.

8 B. Council also authorizes staff action to coordinate with the
9 Albuquerque Public Schools pursuant to recommendation in the Sector Plan
10 and to make changes to the PGS Land Use Assumptions, Impact Fee Capital
11 Improvement Program consistent with the adopted *Volcano Heights Sector*
12 *Development Plan*.

13 C. The Council directs City staff to rapidly acquire lands identified in
14 the plan for public uses such for street rights-of-way, parks, open space,
15 hydrology, and other uses. This includes acquiring the northern 1/3rd of the
16 North Geologic Window, the western two-thirds of the State of New Mexico
17 land, and the Paleo-Indian sites on the eastern one-third of this property

18 Section 8. Funding Mechanisms. The Council recognizes that the
19 provisions of the adopted *Volcano Heights Sector Development* will require
20 additional funding. The following mechanisms, among others as needed, shall
21 be used to implement the *Volcano Heights Sector Development Plan*.

22 A. A major source of funding will be development impact fees
23 collected for open space, parks, and trails; storm drainage; and
24 transportation. These dollar resources are largely unavailable at present.
25 Impact fees are collected as building permits are issued, relatively late in the
26 development process. The City will develop financing methods so that funds
27 can be expended for land acquisition needed in advance of the collection of
28 impact fees for these purposes and then reimbursed from these revenues.

29 B. State of New Mexico Grants

30 C. Grants from the Federal Government

31 D. City Open Space Trade Lands

32 E. City Capital Improvement Program

33 F. Special Assessment Districts

- 1 **G. Private Infrastructure Districts**
- 2 **H. Normal dedications as provided in the City’s development**
- 3 **regulations**
- 4 **I. Tax Increment Finance Districts. The use of a TIF district is**
- 5 **appropriate to provide incentives for parking structures within the Town**
- 6 **Center, Village Centers, and elsewhere as recommended in the *Volcano***
- 7 ***Heights Sector Development Plan.***

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